

REMARKS

Reconsideration is respectfully requested in view of the foregoing amendments and the following remarks.

CLAIM STATUS

Claims 1-5, 7 and 9-20 are pending. Claims 1-5, 7, 9-17, 19 and 20 stand rejected, of which claims 1 and 9 are independent, and claim 18 has been objected to. By this Amendment, claims 2, 9 10, 11, 13, 15 and 17 are amended, claims 1, 3, 5-8 and 18 are canceled without prejudice or disclaimer and new claim 21 is added. No new matter has been added.

Rejections Under 35 U.S.C. §102(b) and 103

Claims 1, 2, 5, 7, 16, 17, 19 and 20 have been rejected under 35 U.S.C. §102(b) as allegedly being anticipated by Kishida et al. (USP 5,844,658; "Kishida"). Claims 3, 4 and 9-15 have been rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Kishida in view of Aizu et al. (USP 4,952,050; "Aizu").

Claims 1, 3, 5-8 and 18 are herein canceled rendering the rejections as to these claims moot. Applicants request that the rejections as to these claims be withdrawn.

With regard to paragraph 15 of the Office Action, Applicants respectfully disagree with the Examiner's statement. Applicants clearly indicated, with reference to page 7, lines 15-19, as follows:

Applicants have not independently addressed the rejections of the dependent claims because Applicants submit that the dependent claims are also allowable for at least similar reasons as stated for the independent claims from which they depend. Applicants however, reserve the right to address any individual rejections of the dependent claims should such be necessary or appropriate.

Thus, Applicants clearly represented that the dependent claims are allowable over the cited art for at least similar reasons as for the independent claims, thus presenting a traversal of the rejections of the dependent claims but reserving the right to argue an independent basis for

the patentability of each of the dependent claims, if necessary. As is well established, dependent claims include all the limitations of the independent claim from which they depend and add further limitations to those independent claims, and, if the independent claims are distinguished over the prior art, the dependent claims are consequently distinguished from the same art for at least similar reasons.

Turning to the merits of the presently standing rejections, Applicants traverse the rejection of independent claims 2 and 9, and all claims dependent thereon, for at least the following reasons.

Kishida shows an auto-tracking for blood vessel on eye fundus. In the reference, the displayed image of eye fundus changes in accordance with the tracking operation.

Furthermore, Aizu only shows an arrangement for controlling an illuminating position of a measurement beam.

Neither Kishida nor Aizu show or suggest at least the claimed feature that the eye fundus image displayed on display means is enlarged at the time of illuminating the laser beam.

Dependent Claims

Applicants traverse the rejections of the dependent claims but have not independently addressed the rejections of the dependent claims because Applicants submit that the dependent claims are also allowable for at least similar reasons as stated for the independent claims from which they depend. Applicants however, reserve the right to address any individual rejections of the dependent claims should such be necessary or appropriate.

Thus, Applicants respectfully submit that the invention as recited in independent claims 2 and 9 as amended, and the claims depending therefrom including new claim 21 which is dependent upon claim 2, are not taught or suggested by, and neither anticipated by nor rendered

obvious in view of, and thus patentably distinct over, Kishida or Aizu, taken individually or in combination.



CONCLUSION

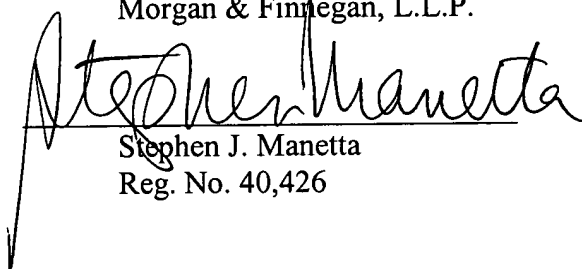
Accordingly, Applicants submit that the claims as herein presented are allowable over the prior art of record, taken alone or in combination, and that the respective rejections be withdrawn. Applicants further submit that the application is hereby placed in condition for allowance which action is respectfully requested.

Applicants believe no fee nor extension of time is required for this filing. However, should an extension of time be necessary to render this filing timely, such extension is hereby petitioned, and the Commissioner is hereby authorized to charge any additional fees that may be required for this paper, or credit any overpayment, to Deposit Account No. 13-4500, Order No. 1232-4826.

In the event that a telephone conference would facilitate prosecution, the Examiner is invited to contact the undersigned at the number provided.

Respectfully submitted,
Morgan & Finnegan, L.L.P.

By:


Stephen J. Manetta
Reg. No. 40,426

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CORRESPONDENCE ADDRESS:
MORGAN & FINNEGAN, L.L.P.
345 Park Avenue
New York, New York 10154-0053
(212) 758-4800 (Telephone)
(212) 751-6849 (Telecopier)

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